



# California Fair Political Practices Commission

January 12, 1989

John F. Bowman  
Northridge Greens, Suite 113  
7509 Madison Avenue  
Citrus Heights, CA 95610

Re: Your Request for Informal  
Assistance  
Our File No. I-88-485

Dear Mr. Bowman:

We have reviewed your letter questioning the use of campaign funds for charitable or personal purposes. You have asked several general questions. However, your inquiry does not concern either your own responsibilities under the Political Reform Act<sup>1/</sup> or those of a candidate who has authorized you to request advice on his or her behalf. Therefore, we can provide only the following general explanation of the applicable law. (Regulation 18329(c), copy enclosed.)

Your questions primarily concern matters governed by Elections Code Sections 12400-12404. These statutes are not part of the Political Reform Act and thus are outside of the Commission's jurisdiction. (See Section 83111.) The Attorney General's office is responsible for enforcing these statutes.

Until January 1, 1989, the Political Reform Act contained no restrictions on the use of candidates' campaign funds; Elections Code Sections 12400-12404 were the only applicable statutes. However, commencing January 1, 1989, each candidate must deposit contributions he or she receives in a campaign contribution account, and those funds are deemed to be held in trust for expenses of candidacy or office. (Sections 85201 and 85202.)

---

<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

# BOWMAN AND BOWMAN

ATTORNEYS AND COUNSELLORS AT LAW

Northridge Greens, Suite 113

7509 Madison Avenue

Citrus Heights, California 95610

(916) 965-2551

PATRICIA A. BOWMAN

JOHN F. BOWMAN

December 13, 1988

Fair Political Practices Commission  
428 J Street  
Sacramento, CA 95814

Re: Campaign Funds for Charity

Gentle Persons:

The news yesterday and today includes the governor's gift of \$100,000.00 to the Armenian Relief efforts in the Soviet Union. There are implications for your Commission.

Those were not his funds, they were campaign funds, reportedly. My question is in several parts, each concerning the propriety of campaign funds being used for a politician's private purposes -- in this case, charity for his ethnic favorites in an emergency.

1. Is it proper for a trustee of campaign funds, which funds were given for political purposes by donors, to change the purpose of those donations and to give away those funds for the donor's publicity benefit in an admittedly worthy, charitable purpose?

2. If political campaign funds can be given away for non-political purposes of a charitable nature, can the reverse be true, if by some interpretation a political use of charitable funds might benefit a <sup>charitable</sup> political cause, especially in international contexts?

3. If the trustee of campaign funds can dispose of those funds at his own will, what limits can be placed on his or her disposal of those funds for personal use? (This would include the publicity benefits to the trustee.)

I think that our governor -- who has shown no compassion for Cal-Osha concerns of worker safety -- is mighty generous with other people's money, here. He benefits politically as a big benefactor, with other people's money. It seems to be a conflict of interest, to me. It is understandable for our Armenian governor to give as he wishes to disaster victims, and to encourage others to do so -- no problem there. But to tap funds held for one purpose, to use on a totally unintended purpose, even for a good cause, in an international setting, is going too far. Why not permit giving to the PLO next? Or to the IRA in Northern Ireland? Or to so-called "freedom fighters" in Central America? \$100,000 to the USSR?

I would appreciate a response

Sincerely,

John F. Bowman



John F. Bowman  
January 12, 1989  
Page 2

If you have any questions regarding this letter,  
please contact me at (916) 322-5901.

Sincerely,

Diane M. Griffiths  
General Counsel

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

By: Kathryn E. Donovan  
Counsel, Legal Division

DMG:KED:plh

Enclosure